604 a.s.1004

(3)

IN THE HIGH COURT OF OF JUDICATURE AT BILASPUR

W.P. NO. 1667 /2004

IN THE MATTER OF :

PETITIONER : AIM UNIVERSITY, Raipur, established and notified under the Chhattisgarh Nizi Kshetra Vishwavidyalaya (Sthapana Evam Viniyaman) Adhiniyam, 2002, Sponsored by Triple 'A' Education Society, Raipur, registered under the C.G. Societies Registrikaran Adhiniyam, 1973 in the office of the Registrar of Firms and Societies, Chhattisgarh, Raipur at S.No. 2749 through its Chancellor Amrendra Kumar Shrivastava, Tagore Nagar, Opposite C.S.I.D.C. Office, Raipur (C.G.)

P.R No. 1596/04
Presented by Shri Rajesh Singh
dated 15-6-04

VERSUS

RESPONDENTS : 1. STATE OF CHHATTISGARH Through the Principal Secretary/Secretary, Department of Higher Education, D.K.S. Bhavan, Mantralaya, Raipur (C.G.)

RECEIVED COPY 15.6.
Clerk to A.G. Bilaspur

2. Regulatory Commission Constituted under the Chhattisgarh Nizi Kshetra Vishwavidyalaya (Sthapana Evam Viniyaman) Adhiniyam 2002, C/o Principal Secretary, D.K.S. Bhavan, Mantralaya, Raipur (C.G.)

NOTARY
C. L. Markandey
Notary/Advocate
RAIPUR C. G.(I)
Reg. No.
01/27/02
CHHATTISGARH

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No. 1667/04 **सन्** **200** 207

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

D.B: HON'BLE SHRI JUSTICE A.K.PATNAIK, C.J &
HON'BLE SHRI DILIP RAOSAHEB DESHMUKH, J.

23.09.2005

None appears for the petitioner(s).

Mr. Ravindra Agrawal, P.L. has appeared for the State of Chhattisgarh.

Mr. Agrawal states that in this writ petition the petitioner had challenged the provisions of Chhattisgarh Niji Kshetra Vishwavidyalaya (Sthpana Aur Viniyaman) Sansodhan Adhiniyam, 2004 by which the Chhattisgarh Niji Kshetra Vishwavidyalaya (Sthpana Aur Viniyaman) Adhiniyam, 2002 was amended. By a judgment of Supreme Court in the case of *Prof. Yashpal and others v. State of Chhattisgarh and another* reported in **2005 (5) SCC 420,** the provisions of the Chhattisgarh Niji Kshetra Vishwavidyalaya (Sthpana) Aur Viniyaman) Adhiniyam, 2002 have been declared to be ultra vires of the Constitution and therefore this writ petition has become infructuous.

After considering the submission made by Mr. Ravindra Agrawal, we find that this writ petition has become infructuous and we accordingly dispose of the same.

Sd/-
Chief Justice
Judge

Sd/-
Dilip Raosaheb Deshmukh
Judge

Anjani

(पीछे देखिये)